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HOUSE BILL 720

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

DARA A. DANA

AN ACT

RELATING TO CRIMES; REMOVING THE TIME LIMITATION FOR PROSECUTION, TRIAL OR PUNISHMENT OF CAPITAL AND FIRST DEGREE FELONIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 30-1-8 NMSA 1978 (being Laws 1963, Chapter 303, Section 1-8, as amended) is amended to read:

"30-1-8. TIME LIMITATIONS FOR COMMENCING PROSECUTION. -- No person shall ~~hereafter~~ be prosecuted, tried or punished in any court of this state unless the indictment ~~shall be~~ is found or information or complaint is filed therefor within the time ~~hereinafter~~ as provided:

~~[A. for a capital felony, within fifteen years from the time the crime was committed;~~

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[bracketed material] = delete

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[bracketed material] = delete

1 ~~B. for a first degree felony, within fifteen years~~
2 ~~from the time the crime was committed;~~

3 ~~C.] A.~~ for a second degree felony, within six years
4 from the time the crime was committed;

5 ~~[D.] B.~~ for a third or fourth degree felony, within
6 five years from the time the crime was committed;

7 ~~[E.] C.~~ for a misdemeanor, within two years from the
8 time the crime was committed;

9 ~~[F.] D.~~ for a petty misdemeanor, within one year
10 from the time the crime was committed;

11 ~~[G.] E.~~ for any crime against or violation of the
12 revenue laws of this state of Section 51-1-38 NMSA 1978, within
13 three years from the time the crime was committed; ~~[and~~

14 ~~H.] F.~~ for any crime not contained in the Criminal
15 Code, or where a limitation is not otherwise provided for,
16 within three years from the time the crime was committed; and

17 G. for a capital felony or a first degree felony, no
18 limitation period shall exist and prosecution for these crimes
19 may commence at any time after the occurrence of the crime."

20 Section 2. EFFECTIVE DATE. -- The effective date of the
21 provisions of this act is July 1, 1997.

State of New Mexico
House of Representatives

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

February 22, 1997

Mr. Speaker:

Your JUDICIARY COMMITTEE, to whom has been referred

HOUSE BILL 720

**has had it under consideration and reports same with
recommendation that it DO PASS, and thence referred to the
APPROPRIATIONS AND FINANCE COMMITTEE.**

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**FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997**

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Respectfully submitted,

Thomas P. Foy, Chairman

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 10 For 1 Against

Yes: 10

No: M P. Garcia

Excused: Rios, Sanchez

Absent: None

M \H0720

Underscored material = new
[bracketed material] = delete

1 FORTY-THIRD LEGISLATURE
2 FIRST SESSION, 1997

HB 720/a

3
4 March 20, 1997

5
6 Mr. President:

7
8 Your JUDICIARY COMMITTEE, to whom has been referred

9 HOUSE BILL 720

10
11 has had it under consideration and reports same with
12 recommendation that it DO PASS, amended as follows:

- 13
14 1. On page 2, line 17, after "degree" insert "violent".
15

16 Respectfully submitted,

17
18 _____
19 Fernando R. Macias, Chairman
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21

22
23
24 Adopted _____ Not Adopted _____
25 (Chief Clerk) (Chief Clerk)

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Page 6

Date _____

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Sanchez, Tsosie, Vernon

Absent: None

H0720JU1

Underscored material = new
~~[bracketed material] = delete~~

**State of New Mexico
House of Representatives**

**FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997**

March 7, 1997

Mr. Speaker:

**Your APPROPRIATIONS AND FINANCE COMMITTEE, to
whom has been referred**

HOUSE BILL 720

**has had it under consideration and reports same with
recommendation that it DO PASS.**

Respectfully submitted,

Max Coll, Chairman

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 15 For 0 Against

Yes: 15

Excused: Garcia, M H. , Taylor, J. P.

Absent: None

M \H0720

Underscored material = new
[bracketed material] = delete